



# Town of Merrimack, New Hampshire

Community Development Department

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Town Hall - Lower level - East Wing

Planning - Zoning - Economic Development - Conservation

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## RESULTS OF MERRIMACK PLANNING BOARD

TUESDAY, JANUARY 4, 2022

**Planning Board members present:** Chair Robert Best; Barbara Healey (Town Council Ex-Officio); Neil Anketell; Brian Dano; & Alternate Nelson Disco

**Planning Board members absent:** Vice Chair Paul McLaughlin; Lynn Christensen and Jaimie von Schoen.

**Staff present:** Robert Price, Planning & Zoning Administrator

### 1. Call to Order

*Chair Robert Best called the meeting to order at 7:02 p.m. and appointed Nelson Disco to vote for Lynn Christensen.*

### 2. Planning & Zoning Administrator's Report

*The Board voted 5-0-0 to determine that the Merrimack Premium Outlets site plan is not of regional impact, on a motion made by Nelson Disco and seconded by Barbara Healey.*

3. **Chris Ross (applicant) and 702 Daniel Webster Highway, LLC (owner)** - Conceptual discussion regarding an alternative proposal to the currently submitted extended-stay hotel application, proposing a self-storage facility. The parcel is located at 702 DW Highway in the in the C-2 (General Commercial) District. Tax Map 7E, Lot 023-01.

*Applicant was represented by: Chris Ross, 702 Daniel Webster Highway, LLC*

*Discussion only.*

4. **Chris Ross (applicant) and 702 Daniel Webster Highway, LLC (owner)** - Continued review for acceptance and consideration of final approval for a Site Plan to construct a 42-suite extended stay hotel and associated site improvements. The parcel is located at 702 DW Highway in the in the C-2 (General Commercial) District. Tax Map 7E, Lot 023-01. Case #PB2021-40. **This item is continued from the December 7, 2021 Planning Board meeting.**

*Applicant was represented by: Chris Ross, 702 Daniel Webster Highway, LLC*

*At the applicant's request, the Board voted 5-0-0 to continue the application's acceptance & public hearing to February 1, 2022 at 7:00 PM, on a motion made by Neil Anketell and seconded by Barbara Healey.*

5. **John Flatley Company (applicant/owner)** - Continued review for acceptance and consideration of final approval for a lot line adjustment to increase the area of Map 6E, Lot 003-07 and a site plan to construct two 48 unit apartment buildings (in addition to the existing 240

units), both in accordance with the most recently amended Flatley Mixed Use Conditional Use Permit. The parcels are located at 5 Gilbert Crossing and 645 Daniel Webster Highway in the I-1 (Industrial), Aquifer Conservation & Elderly Housing Overlay Districts and Wellhead Protection Area. Tax Map 6E, Lots 003-01 (645 DW Hwy) and 003-07 (5 Gilbert Crossing). Case # PB2021-44. **This item is continued from the December 7, 2021 Planning Board meeting.**

***At the applicant's request, the Board voted 4-0-1 to table this item indefinitely, on a motion made by Nelson Disco and seconded by Barbara Healey. Robert Best abstained.***

6. **Kerner's Car Care (applicant) and DKERN II, LLC (Owner)** – Continued review for acceptance and consideration of final approval for a site plan for a change of use from a limited automotive service (oil changes and car wash) facility to a full automobile service and repair facility in addition to the existing car wash use. The parcel is located at 386 DW Highway in the C-2 (General Commercial), Elderly Housing Overlay & Aquifer Conservation Districts. Tax Map 4D-3, Lot 28. Case # PB2021-45. **This item is continued from the December 21, 2021 Planning Board meeting.**

*Applicant was represented by: Jeff Kevan, TF Moran, Inc.; David Kuerner, property owner & Erick Ortiz, business owner.*

***The Board voted 5-0-0 to accept the application as complete, on a motion made by Nelson Disco and seconded by Brian Dano.***

*There was no public comment.*

***The Board voted 5-0-0 to grant a waiver from Section 6.01.c of the Site Plan Regulations (which requires all on site improvements be completed prior to the issuance of a certificate of occupancy), and to grant conditional final approval to the site plan, on a motion made by Nelson Disco and seconded by Barbara Healey.***

7. **Anthony Hunter (applicant/owner)** - Review of a Conditional Use for a Level II Home Occupation proposing gunsmithing and customization of firearms. The parcel is located at 15 Mountain View Drive in the R-1 (Residential, by map) District. Tax Map 6A, Lot 006-13. Case # PB2022-01.

*Applicant was represented by: Anthony Hunter, owner.*

*Public Comment was received from: Menahem Lowy, 13 Mountain View Drive*

***The Board voted 5-0-0 to grant conditional final approval, on a motion made by Nelson Disco and seconded by Barbara Healey.***

8. **Merrimack Premium Outlets, LLC (applicant/owner)** – Review for acceptance and consideration of an amendment to a previously approved Site Plan to allow a variety of temporary “event” uses and other permanent customer amenities within the existing parking areas, in accordance with the recently amended Merrimack Premium Outlets Conditional Use Permit. The parcel is located at 80 Premium Outlets Blvd in the I-2 (Industrial) and Aquifer Conservation Districts and Wellhead Protection Area. Tax Map 3C, Lot 191-01. Case # PB2022-02.

*Applicant was represented by: Mark Verostick, VHB, Inc. & Eileen Felch, Merrimack Premium Outlets.*

*Public Comment was received from: Jason Greguske (5 Englewood Drive).*

***The Board voted 5-0-0 to grant conditional final approval to the site plan, on a motion made by Nelson Disco and seconded by Barbara Healey.***

- 9. Aubrey Duplease (applicant/owner)** - Review of a Conditional Use for a Level II Holistic Wellness Home Occupation. The parcel is located at 66 Tinker Road in the R-1 (Residential, by soils) and Aquifer Conservation Districts. Tax Map 2C, Lot 056. Case # PB2022-03.

*Applicant was represented by: Aubrey Duplease, owner.*

*Public Comment was received from: Casey Martel, 62 Tinker Road.*

***The Board voted 5-0-0 to continue this item to February 1, 2022 at 7:00 p.m. in the Matthew Thornton Room, on a motion made by Nelson Disco and seconded by Brian Dano.***

- 10. Anheuser-Busch Commercial Strategy, LLC (applicant/owner)** - Review for consideration of Final Approval for a waiver of full site plan review to re-establish the use of two existing buildings as 6 residential units for employees/contractors. The parcel is located at 221 Daniel Webster Highway in the I-1 (Industrial) and Aquifer Conservation Districts. Tax Map 3D, Lot 031. Case # PB2022-05.

*Applicant was represented by: Tom Hildreth, McLane Middleton.*

***The Board voted 5-0-0 to accept the application as complete, on a motion made by Nelson Disco and seconded by Neil Anketell.***

***The Board voted 5-0-0 to grant a waiver of full site plan review, on a motion made by Nelson Disco and seconded by Brian Dano.***

*There was no public comment.*

***The Board voted 5-0-0 to grant conditional final approval to the site plan, on a motion made by Nelson Disco and seconded by Barbara Healey.***

- 11. Discussion/possible action regarding other items of concern**

***The Board voted 5-0-0 to grant a 6 month extension to the Thomas More College site plan, on a motion made by Nelson Disco and seconded by Neil Anketell.***

- 12. Approval of Minutes — December 21, 2021**

***The Board voted 4-0-1 to approve the minutes of December 21, 2021, as amended, on a motion made by Barbara Healey and seconded by Brian Dano. Neil Anketell abstained.***

### **13. Adjourn**

***The Board voted 5-0-0 to adjourn at 9:19 p.m. on a motion made by Barbara Healey and seconded by Nelson Disco.***